

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION)
OF RUSHMORE ENERGY, LLC FOR A)
CERTIFICATE TO PROVIDE ELECTRIC)
SUPPLY SERVICES WITHIN THE STATE OF) PSC DOCKET NO. 19-0152
DELAWARE)
(SUBMITTED MARCH 19, 2019;)
FILED May 31, 2019))

ORDER NO. 9425

ELECTRIC SUPPLIER CERTIFICATE

This 16TH day of July, 2019, the Delaware Public Service Commission (the “Commission”) determines and orders the following:

WHEREAS, on March 19, 2019, Rushmore Energy, LLC (“Rushmore” or the “Company”) submitted to the Commission an incomplete application¹ pursuant 26 *Del. C.* §1001 - §1020, the Electric Utility Restructuring Act (the “Act”),² and 26 *Del. Admin. C.* §3001, the Commission’s Rules for Certification and Regulation of Electric Suppliers (the “Supplier Rules”). This incomplete application requested certification for the Company to act as an electric supplier that will utilize appropriate energy procurement strategies to meet the needs of residential, small commercial, large commercial, and industrial customers in Delaware. This incomplete application was docketed as PSC Docket No. 19-0152; and

¹ Under Section 3001 of the Supplier Rules, applicants must submit certain required documents to complete their application. Rushmore Energy, LLC original submission failed to include all of the required documents.

² Unless otherwise noted, capitalized terms shall have the meanings ascribed to them in the Act and the Supplier Rules.

WHEREAS, over approximately a two month period of time, the Commission Staff (“Staff”) sent to the Company two notices of deficiency in an attempt to correct the deficiencies in the incomplete application; and

WHEREAS, on May 31, 2019, the Company submitted all of the required documents and thereby filed a complete application (the “Application”) pursuant to the Act and the Supplier Rules; and

WHEREAS, as more specifically detailed in its Memorandum to the Commission, Staff reports that the Application fulfills all of the requirements set forth in the Act and the Supplier Rules for an Electric Supplier Certificate to act as an electric supplier. In particular, Staff reports that the Company has specifically presented substantial evidence to support its financial, operational, managerial, and technical ability to provide Electric Supply Service within the State of Delaware. Therefore, Staff recommends that the Commission issue an Electric Supplier Certificate to authorize Rushmore to provide Electric Supply Services in the State of Delaware;

**NOW, THEREFORE, IT IS ORDERED BY THE AFFIRMATIVE
VOTE OF NOT FEWER THAN THREE COMMISSIONERS:**

1. Rushmore is hereby granted a certificate to do business and operate as an Electric Supplier within the State of Delaware. Under this Electric Supplier Certificate, the Company is authorized to provide Electric Supply Service within the State of Delaware consistent with and in accordance with the Act and the Supplier Rules.

2. Rushmore is hereby notified that a violation of any applicable order, statute, regulation, rule, or other controlling authority may be enforced by sanctions permitted by §§1012(a) and 1019 of the Act and §3001-10.2 of the Supplier Rules.

3. Rushmore shall file such reports and pay such fees and assessments as may

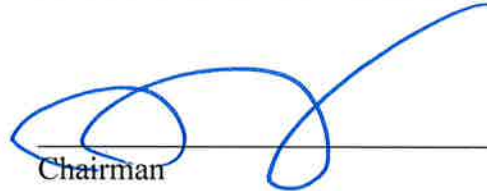
be required or imposed by §§114, 115, and 1012(c) (2) of the Act and §§3001-3.9 and 3.10 of the Supplier Rules.

4. Rushmore consents to the jurisdiction of the courts of the State of Delaware for all acts or omissions related to its offering of Electric Supply Services in this State.

5. Rushmore is hereby placed on notice that the costs of this proceeding will be charged to it pursuant to §114(b) (1) of the Act.

6. The Commission reserves the jurisdiction and authority to enter such further orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:


Chairman


Commissioner


Commissioner


Commissioner


Commissioner

ATTEST:

Donna Dickerson
Secretary

